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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,137	07/19/2001	Christopher McCormick	ELT-001 (6281/5)	6862

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EXAMINER

HARRIS, CHANDA L

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 04/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

Office Action Summary

Application No.

09/909,137

Applicant(s)

MCCORMICK ET AL.

Examiner

Chanda L. Harris

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 13-25 is/are rejected.
- 7) ☒ Claim(s) 10-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 15 recites the limitation "the step of providing activity-specific support" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.
2. Claim 20 recites the limitation "the step of obtaining profiles of each participant" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 13-15, 20-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Ho et al. (US 6,160,987).

1. [Claims 1,24-25]: Regarding Claims 1 and 24-25, Ho discloses opening a communication channel over a network between the participants. See Col.13: 37-38.

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Ho discloses presenting an objective (i.e. problem) shared by the participants that require cooperative interaction between the participants to complete the objective and displaying content (e.g. hints) related to the objective to each participant of the learning activity. See Col.3: 45-55. Ho discloses exchanging messages between the participants over the communication channel to allow the participants to progress cooperatively towards completing the objective. See Col.9: 42-49. Exchanging messages in real-time would have been an inherent feature of Ho's invention. Ho discloses receiving input from one of the participants of the learning activity representing an action taken in response to the messages exchanged over the communication channel. See Col.9: 62-66. Ho discloses dynamically updating the content displayed to the participants based on the action taken by one of the participants during the learning activity to depict progress towards the objective. See Col.3: 52-55.

2. [Claim 2]: Regarding Claim 2, Ho discloses wherein the communication channel conveys voice communications. See Col.9: 63-66.
3. [Claim 3]: Regarding Claim 3, Ho discloses wherein the communication channel conveys text communications. See Col.10: 2.
4. [Claim 4]: Regarding Claim 4, Ho discloses the step of grouping participants in the learning activity. See Col.4: 14-17 and Col.13: 36-44.
5. [Claim 5]: Regarding Claim 5, Ho discloses the step of displaying multimedia information related to the learning activity to at least one of the participants while the

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participant awaits to be grouped in the learning activity. See Col.3: 46-48 and Col.7: 22-24.

6. [Claim 6]: Regarding Claim 6, Ho discloses the step of providing the participants with information and material sufficient to accomplish the objective. See Col.3: 45-55.

7. [Claim 7]: Regarding Claim 7, Ho discloses wherein messages (e.g. hints) exchanged over the communication channel guide the receiving participant to take actions that lead toward completing the objective. See Col.3: 51-52.

8. [Claim 8]: Regarding Claim 8, Ho discloses wherein the participants exchange messages that discuss the content displayed to each participant. See Col.8: 63-67.

9. [Claim 9]: Regarding Claim 9, Ho discloses wherein the content displayed to one participant differs from the content displayed to another participant (i.e. different formats). See Col.7: 24-31.

10. [Claim 13]: Regarding Claim 13, Ho discloses wherein the network is the World Wide Web. See Col.12: 10-15.

11. [Claim 14]: Regarding Claim 14, Ho discloses the step of facilitating interaction between the participants by providing at least one of guiding instructions, hints, clues, and feedback that assist in completing the objective. See Col.3: 51-52.

12. [Claim 15]: Regarding Claim 15, providing activity specific-specific support in a dedicated portion of a display presented to each participant would have been an inherent feature of Ho's invention, especially in light of Col.3: 51-52.

13. [Claim 20]: Regarding Claim 20, Ho discloses the step of obtaining profiles of each participant including information related to at least one of areas of interest, ability level, and topic subject matter. See Col.4: 22-33.

14. [Claim 21]: Regarding Claim 21, Ho discloses the step of gearing the objective (e.g. by deciding what materials each user should work on) and displayed content to the profiles of the participants. See Col.3: 65-Col.4: 6, 27-33.

15. [Claim 22]: Regarding Claim 22, Ho discloses the step of controlling a sequence of the learning activity such that the participants are induced to interact with each other to complete the objective. See Col.3: 45-55.

16. [Claim 23]: Regarding Claim 23, Ho discloses wherein all of the participants are students. See Col.12: 64-65.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho in view of Rosenfield et al. (US 6,358,053).

1. [Claim 16]: Regarding Claim 16, Ho does not disclose expressly wherein the activity-specific support is a vocabulary list of words related to the learning activity. However, Rosenfield teaches such in Col.4: 26-29. Therefore, at the time of the

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invention, it would have been obvious to one of ordinary skill in the art to incorporate a vocabulary list of words into the method and system of Ho, in light of the teaching of Rosenfield, in order to provide a study aid for the student.

2. [Claim 17]: Regarding Claim 17, Ho does not disclose expressly wherein the learning activity is to practice using a particular language. However, Rosenfield teaches such in Col.4: 65-Col.5: 1. Therefore, it would have been obvious to one of ordinary skill in the art to incorporate practice using a particular language into the method and system of Ho, in light of the teaching of Rosenfield, in order to teach users about a language.

3. [Claims 18-19]: Regarding Claims 18 and 19, Ho does not disclose expressly wherein the particular language is English or at least a second language for each of the participants. However, Rosenfield teaches several languages in Col.3: 59-64 and Col.4: 65-66. Wherein the particular language is at least a second language for each of the participants would have been an inherent feature of Rosenfield's invention. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the aforementioned limitations into the method and system of Ho, in light of the teaching of Rosenfield, in order to teach users about a language.

Allowable Subject Matter

Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cook et al. (US 5,727,950)
 - group work materials
- Dorcely (US 6,287,125)
 - presentation and response system
- Freeman et al. (US 6,301,362)
 - online collaborative apprenticeship
- Dean et al. (US 5,957,698)
 - group projects
- Pellegrino et al. (US 6,149,441)
 - joint assignments
- Stephens et al. (US 6,261,103)
 - discussion groups
- Khalsa (US 2002/0051958)
 - group thinking
- Aggarwal et al. (US 6,381,444)
 - interest groups

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Ch.

ch.

April 4, 2003


S. THOMAS HUGHES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700